

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PACE-O-MATIC, INC.,	:	Civil No. 1:20-CV-00292
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
ECKERT, SEAMANS, CHERIN &	:	
MELLOTT, LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	Judge Jennifer P. Wilson

ORDER

Before the court is a discovery dispute that concerns the contours of the attorney-client privilege. Plaintiff filed a discovery dispute letter on September 18, 2024, Doc. 435, in which it argues that respective counsel for Defendants, non-party Richard Gmerek (“Gmerek”), and non-party Greenwood Gaming & Entertainment, Inc., d/b/a Parx Casino, (“Parx”), made “overbroad and unsupported privilege objections” during Gmerek’s deposition. (Doc. 435, p. 2.) In responsive letters, Gmerek and Parx contend that their respective counsel made warranted objections and gave proper cautionary instructions to prevent waiver. (Docs. 439, 440.) The crux of the issue is to what extent the attorney-client privilege protects communications between Gmerek, a lobbyist, and his client Parx, including communications that occurred in the presence of Parx’s legal counsel. This is essentially the same issue Parx appealed to the Third Circuit. (*See*

Doc. 399.) Since Parx's appeal is currently pending, **IT IS ORDERED THAT** this discovery dispute is **STAYED** until the resolution of Parx's appeal.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Judge
Middle District of Pennsylvania

Dated: October 25, 2024